

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONNIE R. HILLERY,

Petitioner,

No. CIV S-04-2073 DFL JFM P

vs.

SAN JOAQUIN COUNTY SHERIFF
BAXTER DUNN, et al.,

Respondents.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On October 25, 2005, the magistrate judge signed findings and recommendations herein which were served on petitioner on October 27, 2005 and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty days. Petitioner has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

////

1. The findings and recommendations served October 27, 2005, are adopted in full; and

2. This action is dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

DATED: 2/7/2006

Dav. F. Levi